

From: Jeff Williams
To: Microsoft ATR
Date: 1/2/02 9:06pm
Subject: Microsoft Settlement

I will be brief as I expect you have more than a little bit of correspondence to review.

Please accept the proposed settlement as being in the public interest.

* Microsoft (and its stockholders) have already been punished terribly. The 75% loss to shareholder value caused by the initial judgment preceded all of the dot com problems (perhaps even triggered them). This loss represents tens of billions of dollars- certainly more than any reasonable fine.

* It seems that the only states that didn't join in on the settlement are those that have significant potential upside if fines are levied against Microsoft (Utah and California are the most notable since Utah is the home of Novell and California is the home of Oracle, Sun and others). I believe it was Thomas Jefferson who stated that a democracy will fail as soon as its constituents realize they can vote money in to their individual pockets.

* The forced release of Microsoft's source code and other intellectual property would be nothing less than robbery. It seems extremely odd to me that any company would be expected to make a product that works with products from another company. I don't see Ford being forced to provide detailed specifications of the bolts they use to allow BMW to make replacement steering wheels for the Taurus.

* Netscape's success in the market place (as demonstrated by AOL's purchase of them for an amount in excess of a billion dollars as well as by number of downloads) clearly demonstrates that innovation is possible even when Microsoft is a dominant player in the market. AOL has over 100 million users, their Instant Messaging product has a considerably higher user count than Microsoft's product and yet these companies still cry foul.

* Sun's Scott McNealy has gone on record as saying he is happy to use the legal system for competitive advantage against Microsoft. To allow that is to suggest that the checks and balances we have in place are merely window dressing for corporate agenda's and other politicking.

* Windows XP demonstrates clear innovations in areas of usability (help messages in clear English, task oriented support, context sensitivity), stability, recoverability (system state restore, user migration, system file protection) as well as the innovations with middleware. It is on the whole of these merits- not on predatory practices- that Microsoft receives accolades on their product and solid market share.

Please let us move on from this- for the sake of the stockholders, the users in general and all of us who do not want to see the self-righteous, indignant few demonstrate that it is easier to litigate and lobby than to make a better product of their own and in so doing prevent a real innovator from continuing to provide quality product.

Thank you in advance for what I am certain will be a fair judgment based on all relevant facts.

Yours truly,

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